

AMENDED IN ASSEMBLY AUGUST 18, 1998

AMENDED IN ASSEMBLY JULY 30, 1998

AMENDED IN ASSEMBLY JUNE 15, 1998

AMENDED IN SENATE APRIL 13, 1998

**SENATE BILL**

**No. 1649**

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**Introduced by Committee on Local Government (Senators  
Craven (Chair), Ayala, Costa, Johnston, Kopp, Polanco,  
Rainey, and Watson)  
(Coauthor: Senator Monteith)**

February 13, 1998

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An act to amend Sections 1481, 5956.3, 6505, 14670.15, 24352, 25332, 25537, 29065.5, 53750, 54954.5, and 61601.25 of, and to repeal Section 17580 of, the Government Code, to amend Section 6840 of, *to add Section 6835.1 to*, and to repeal Sections 6831 and 6842 of, the Harbors and Navigation Code, to amend Section 40002 of, and to add Sections 39014.3 and 39014.5 to, the Health and Safety Code, to amend Sections 1600 and 21061 of the Public Contract Code, to amend Sections 5540.5 and 6217 of the Public Resources Code, to amend Section 95.31 of the Revenue and Taxation Code, to amend Sections 8320, 8322, 8323, and 8324 of the Streets and Highways Code, to amend Section 21101 of the Vehicle Code, and to amend Section 1 of Chapter 213 of the Statutes of 1907, relating to local and state agencies.

## LEGISLATIVE COUNSEL'S DIGEST

SB 1649, as amended, Committee on Local Government. Local Government Omnibus Act of 1998.

(1) Existing law permits the use of a master official bond or other bond to provide coverage on more than one officer, employee, or agent of a state agency, a local public agency, or a county, and provides that the bond inures to the benefit of the state agency, the local public agency, or the county.

This bill would provide that if the master bond provides coverage on a public guardian or public administrator, the master bond shall be for the joint benefit of the guardianship or administratorship estates and the county.

(2) Existing law authorizes local governmental agencies to utilize private sector investment capital to design, construct, maintain, rebuild, repair, or operate fee-producing infrastructure facilities.

This bill would state that “fee-producing infrastructure project” or “fee-producing infrastructure facility” means that the operation of the infrastructure project or facility will be paid for by the persons or entities benefited by or utilizing the project or facility.

(3) Existing law requires that a report of an audit of a joint powers agency be filed with the county auditor of each county in which a contracting party is located.

This bill would require the report to be filed with the county auditor of the county where the home office of the agency is located and sent to any other agency or person that submits a written request to the agency, thereby imposing a state-mandated local program by imposing new duties on local agencies.

(4) Existing law authorizes the Director of General Services, with the consent of the State Department of Mental Health, under terms and conditions that are subject to approval of the State Public Works Board, to enter into a long-term lease with Napa County for designated property within the boundaries of Napa State Hospital for purposes of a community care facility pilot program.

This bill instead would authorize that lease for establishment of an independent living facility for persons



who are handicapped or who have low income, and would delete the provision for approval by the board.

(5) Existing law relating to state reimbursement of local agencies and school districts for costs incurred in carrying out state-mandated programs provides that no bill, except a bill containing an urgency clause, that mandates a new program or higher level of service requiring reimbursement of local agencies or school districts pursuant to the California Constitution shall become operative until July 1 following the date on which the bill takes effect unless the bill specifically makes the requirement inapplicable or contains an appropriation for the reimbursement or a prescribed reimbursement specification.

This bill would repeal that provision.

(6) Existing law requires each county officer authorized to receive fees to record the fees at once and in detail, total the fees on the first day of each month, and on the expiration of the officer's term, to deliver the record to the county auditor.

This bill instead would require each officer to keep a monthly record of those fees in accordance with the Controller's guidelines.

(7) Existing law relating to the government of counties authorizes the Boards of Supervisors of Butte, Los Angeles, Merced, Orange, Riverside, San Bernardino, Santa Clara, and Ventura Counties to contract with private enterprise to provide services that require special experience, education, and training that the county possesses, and to charge a fee for those services.

This bill would extend this authority to the Board of Supervisors of Kings County.

(8) Under existing law, a county board of supervisors may lease county-owned property by alternative bidding procedures that require that the board of supervisors either accept the highest proposal submitted in response to a posted and published call for bids or reject all bids. Existing law permits the board of supervisors, by resolution, to authorize appropriate county officers to execute these leases.

This bill would make these procedures applicable to the granting of licenses for the use of county property and would require the officer authorized to execute the licenses to

provide notice in a specified manner prior to executing the license.

(9) Existing law, in a county that has adopted the procedure by resolution, makes it the responsibility of the county auditor to review the format of the tabulation constituting the proposed budget for compatibility with designated laws and, if compatible, to concur with its use.

This bill instead would make it the responsibility of the official designated by the board of supervisors to format that tabulation pursuant to the requirements of those designated laws, when the resolution has been adopted.

(10) Existing law defines various terms for purposes of certain constitutional and statutory provisions relating to increases in taxes, fees, and charges, including the term “vector control.”

This bill would revise that definition.

(11) *Existing law concerning the conduct of open meetings of legislative bodies of local agencies requires that the agenda for a meeting specify the reasons for a closed session. With respect to a closed session that is a conference with real property negotiators or labor negotiators, the agenda is required to provide specified information.*

*This bill would provide that if circumstances necessitate the absence of a specified negotiator, an agent or designee may participate in the closed session instead if the name of the agent or designee is announced at an open session prior to the closed session.*

*This bill would incorporate the additional changes in Section 54954.5 of the Government Code enacted by SB 139 (Ch. 260, Stats. 1998).*

(12) Existing law authorizes a community services district to exercise specified powers within its jurisdiction.

This bill would authorize the Bear Valley Community Services District to provide for the abatement, control, and removal of weeds.

~~(12)~~

(13) Existing law provides for the Antelope Valley Air Pollution Control District. Existing law also provides for a county air pollution control district in every county that is not included in its entirety in certain specified districts, and



provides that if only a part of a county is included in one of those districts, there is a county district for that part of the county not included.

With respect to the Antelope Valley Air Pollution Control District, this bill would provide that unless an entire county is included in that district there is a county air pollution control district in that county, and if the entire county is not included in that district, there is a county district in that part of the county not included in the Antelope Valley district.

~~(13)~~

(14) Existing law prescribes the membership of the board of election of a river port district. Existing law requires the auditor of a river port district to hold office during the pleasure of the board of election at a salary fixed by the board of election and to file a bond for the faithful performance of his or her duties.

This bill would repeal these provisions.

~~(14)~~

(15) *Existing law provides that a river port district is governed by a 5-member port commission, appointed as specified, and defines the term “board” as the port commission.*

*This bill would provide that a person shall not be ineligible for appointment to the board because he or she is an elected official of an appointing authority to the board. This bill would specify that the appointment of a person to the office of the board shall not be deemed incompatible with being an elected official of an appointing authority to the board.*

(16) Existing law authorizes state agencies to enter into and make payment on contracts by way of electronic transmission.

This bill would extend this authority to counties and a city and county.

~~(15)~~

(17) Existing law sets forth the bidding procedures pursuant to which the San Bernardino County Flood Control District may contract for any improvement or unit of work. Under these provisions, the board of supervisors may authorize the flood control engineer to execute contractual changes up to \$25,000, as specified.

This bill would permit the board of supervisors acting as the board of that district to authorize the flood control engineer or other county officer to order changes or additions up to \$150,000 in work being performed under a construction contract, as specified.

~~(16)–~~

(18) Existing law limits real property exchanges by park and open-space districts to 10 acres annually.

This bill would authorize the East Bay Regional Park District to exchange up to 40 acres annually for property adjacent to other district-owned property.

~~(17)–~~

(19) Existing law requires the State Lands Commission to deposit in the General Fund all revenue, money, and remittances received by the commission, except as to revenue from school lands and other specified sources.

This bill would require that this money deposited in the General Fund be used for specified purposes, including refunds, commission expenses, and payments to cities and counties.

~~(18)–~~

(20) Existing law authorizes eligible counties to participate in the State-County Property Tax Administration Program.

This bill would authorize counties having a new assessor elected in 1998 to participate in that program.

~~(19)–~~

(21) Existing law establishes procedures for the vacation of public streets, highways, and service easements.

This bill would revise certain of those procedures with respect to the initiation and notice of hearing requirements.

~~(20)–~~

(22) Existing law permits local authorities, with respect to highways under their jurisdictions, to adopt rules and regulations by ordinance or resolution on designated matters. These matters include the temporary closing of a portion of any street when, in the opinion of local authorities having jurisdiction, the closing is necessary for the safety and protection of the persons who are to use that portion of the street during that time.



This bill would also permit a local authority to temporarily close a portion of any street when so necessary in the opinion of a public officer or employee that the local authority designates by resolution.

~~(21)–~~

(23) Existing law designates the boundaries of Reclamation District No. 800.

This bill would revise those boundaries and would thus impose additional duties on the district, thereby imposing a state-mandated local program.

~~(22)–~~

(24) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. This act shall be known and may be cited  
2 as the Local Government Omnibus Act of 1998. The  
3 Legislature finds and declares that Californians desire  
4 their governments to be run efficiently and economically,  
5 and that public officials should avoid waste and  
6 duplication whenever possible. The Legislature further  
7 finds and declares that it desires to reduce its own  
8 operating costs by reducing the number of separate bills  
9 affecting related topics. Therefore, in enacting this act, it  
10 is the intent of the Legislature to combine several minor,  
11 noncontroversial statutory changes relating to public  
12 agencies into a single measure.

13 SEC. 2. Section 1481 of the Government Code is  
14 amended to read:

15 1481. (a) When deemed expedient by the appointing  
16 power, a master official bond or other form of master  
17 bond may be used which shall provide coverage on more  
18 than one officer, employee, or agent who is required by



1 the appointing power or the board of supervisors of a  
2 chartered or general law county to give bond.

3 (b) Notwithstanding any other provision of law, when  
4 deemed expedient by the legislative body of a local public  
5 agency, a master official bond or other form of master  
6 bond may be used which shall provide coverage on more  
7 than one officer, employee, or agent of the local public  
8 agency, whether elected or appointed, who is required by  
9 statute, regulation, the appointing power, the governing  
10 board of a local public agency, or the board of supervisors  
11 of a chartered or general law county to give bond.

12 (c) A master bond under this section shall be in the  
13 form and for the term which is approved by the  
14 appointing power or the legislative body of a local public  
15 agency, and shall inure to the benefit of the appointing  
16 power, state, or local public agency by whom the officer,  
17 employee, or agent is employed as well as the officer or  
18 officers under whom the employee or agent serves. If the  
19 master bond provides coverage on a public guardian or  
20 public administrator, then that master bond shall be for  
21 the joint benefit of the guardianship or administratorship  
22 estates, and the county to which the bond is issued.

23 (d) “Local public agency” means any city or county,  
24 whether general law or chartered, city and county,  
25 special district, school district, municipal corporation,  
26 political subdivision, joint powers authority or agency  
27 created pursuant to Chapter 5 (commencing with  
28 Section 6500) of Division 7 of Title 1, or any board,  
29 commission, or agency thereof, or other local public  
30 agency, but shall not mean the state or any agency or  
31 department of the state.

32 (e) “Legislative body” means the board of supervisors  
33 of a county or city, or the governing board, by whatever  
34 name called, of a local public agency.

35 (f) In the case of the State of California, the form and  
36 content of the bond shall be subject to the approval of the  
37 Director of General Services.

38 SEC. 3. Section 5956.3 of the Government Code is  
39 amended to read:





1 5956.3. (a) For purposes of this chapter,  
2 “governmental agency” includes a city, county, city and  
3 county, including a chartered city or county, school  
4 district, community college district, public district,  
5 county board of education, joint powers authority,  
6 transportation commission or authority, or any other  
7 public or municipal corporation.

8 (b) For purposes of this chapter, “private entity”  
9 includes a person, business entity, combination of persons  
10 and business entities, or a combination of business  
11 entities.

12 (c) For purposes of this chapter, “fee-producing  
13 infrastructure project” or “fee-producing infrastructure  
14 facility” means the operation of the infrastructure project  
15 or facility will be paid for by the persons or entities  
16 benefited by or utilizing the project or facility.

17 SEC. 4. Section 6505 of the Government Code is  
18 amended to read:

19 6505. (a) The agreement shall provide for strict  
20 accountability of all funds and report of all receipts and  
21 disbursements.

22 (b) In addition, and provided a separate agency or  
23 entity is created, the public officer performing the  
24 functions of auditor or controller as determined pursuant  
25 to Section 6505.5, shall either make or contract with a  
26 certified public accountant or public accountant to make  
27 an annual audit of the accounts and records of every  
28 agency or entity, except that the officer need not make  
29 or contract for the audit in any case where an annual audit  
30 of the accounts and records of the agency or entity by a  
31 certified public accountant or public accountant is  
32 otherwise made by any agency of the state or the United  
33 States only as to those accounts and records which are  
34 directly subject to such a federal or state audit. In each  
35 case the minimum requirements of the audit shall be  
36 those prescribed by the Controller for special districts  
37 under Section 26909 and shall conform to generally  
38 accepted auditing standards.

39 (c) When an audit of an account and records is made  
40 by a certified public accountant or public accountant, a

1 report thereof shall be filed as public records with each  
2 of the contracting parties to the agreement and also with  
3 the county auditor of the county where the home office  
4 of the joint powers authority is located and shall be sent  
5 to any public agency or person in California that submits  
6 a written request to the joint powers authority. The  
7 report shall be filed within 12 months of the end of the  
8 fiscal year or years under examination.

9 (d) When a nonprofit corporation is designated by the  
10 agreement to administer or execute the agreement and  
11 no public officer is required to perform the functions of  
12 auditor or controller as determined pursuant to Section  
13 6505.5, an audit of the accounts and records of the  
14 agreement shall be made at least once each year by a  
15 certified public accountant or public accountant, and a  
16 report thereof shall be filed as a public record with each  
17 of the contracting parties to the agreement and with the  
18 county auditor of the county where the home office of the  
19 joint powers authority is located, and shall be sent to any  
20 public agency or person in California that submits a  
21 written request to the joint powers authority. These  
22 reports shall be filed within 12 months after the end of the  
23 fiscal year or years under examination.

24 (e) Any costs of the audit, including contracts with, or  
25 employment of certified public accountants or public  
26 accountants, in making an audit pursuant to this section  
27 shall be borne by the agency or entity and shall be a  
28 charge against any unencumbered funds of the agency or  
29 entity available for the purpose.

30 (f) All agencies or entities may, by unanimous request  
31 of the governing body thereof, replace the annual special  
32 audit with an audit covering a two-year period.

33 (g) Notwithstanding the foregoing provisions of this  
34 section to the contrary, agencies or entities shall be  
35 exempt from the requirement of an annual audit if the  
36 financial statements are audited by the Controller to  
37 satisfy federal audit requirements.

38 SEC. 5. Section 14670.15 of the Government Code is  
39 amended to read:



1 14670.15. Notwithstanding Section 14670, the  
2 Director of General Services, with the consent of the  
3 State Department of Mental Health, may lease to Napa  
4 County for a period not to exceed 60 years, 32,632 square  
5 feet, on the east of Residence 09, building 225, facing  
6 Imola Street between Shurleft and Tejas Street, within  
7 the boundaries of Napa State Hospital for establishment  
8 of an independent living facility for persons ~~who are~~  
9 ~~handicapped~~ *with mental illness, who are handicapped,*  
10 or who have low income. The lease shall be under terms  
11 and conditions determined by the director to be in the  
12 best interests of the state.

13 SEC. 6. Section 17580 of the Government Code is  
14 repealed.

15 SEC. 7. Section 24352 of the Government Code is  
16 amended to read:

17 24352. Each officer authorized to receive fees  
18 pursuant to this title shall keep, in accordance with the  
19 guidelines of the Controller, a monthly record of all fees  
20 or compensation and fines of whatever nature, kind, or  
21 description, collected or chargeable. The record shall be  
22 open to public inspection during office hours.

23 SEC. 7.5. Section 25332 of the Government Code is  
24 amended to read:

25 25332. (a) The Boards of Supervisors of Butte, Kings,  
26 Los Angeles, Merced, Orange, Riverside, San Bernardino,  
27 Santa Clara, and Ventura Counties may enter into  
28 contracts with private enterprise to provide services that  
29 require special experience, education, and training that  
30 the county possesses. In addition, the Boards of  
31 Supervisors of Butte, Kings, Los Angeles, Merced,  
32 Orange, Riverside, San Bernardino, Santa Clara, and  
33 Ventura Counties may charge a fee for these optional  
34 services and enhanced services provided to the public  
35 that require special experience, education, training, or  
36 facilities that the county possesses.

37 These services shall be limited to the production and  
38 dissemination of training materials, leasing of training  
39 facilities, or provision of training or consulting services  
40 resulting from the special or unique experiences derived

1 from the magnitude, diversity, or distinctive nature of the  
2 county's services such as law enforcement, fire  
3 protection, public health care, welfare and public social  
4 programs, and public works projects, and the acquisition  
5 and management of real and personal property.

6 (b) Prior to entering into a contract pursuant to this  
7 section, the board of supervisors shall find, based on  
8 evidence in record, that the provision of the special  
9 service described in the proposed contract will not  
10 adversely impact the provision of similar services by  
11 private sector companies or individuals within the  
12 county.

13 (c) This section shall be operative on January 1, 1997.

14 SEC. 8. Section 25537 of the Government Code is  
15 amended to read:

16 25537. (a) In any county the board of supervisors  
17 may prescribe by ordinance a procedure alternative to  
18 that required by Sections 25526 to 25535, inclusive, for the  
19 leasing or licensing of any real property belonging to,  
20 leased by, or licensed by, the county. Any alternative  
21 procedure so prescribed shall require that the board of  
22 supervisors either accept the highest proposal for the  
23 proposed lease or license submitted in response to a call  
24 for bids posted in at least three public places for not less  
25 than 15 days and published for not less than two weeks in  
26 a newspaper of general circulation, if the newspaper is  
27 published in the county, or reject all bids.

28 (b) Leases or licenses of a duration not exceeding 10  
29 years and having an estimated monthly rental of not  
30 exceeding five thousand dollars (\$5,000) may be excluded  
31 from the bidding procedure specified in subdivision (a),  
32 except that notice shall be given pursuant to Section 6061,  
33 posted in the office of the county clerk, and if the lease or  
34 license involves residential property, notice shall be given  
35 to the housing sponsors, as defined by Sections 50074 and  
36 50074.5 of the Health and Safety Code. The notice shall  
37 describe the property proposed to be leased or licensed,  
38 the terms of the lease or license, the location where offers  
39 to lease or license the property will be accepted, the  
40 location where leases or licenses will be executed, and any

1 county officer authorized to execute the lease or license.  
2 If a lease or license is excluded from the bidding  
3 procedure, the actual monthly rental in the executed  
4 lease or license shall not exceed five thousand dollars  
5 (\$5,000), the term of the executed lease or license shall  
6 not exceed 10 years, and the lease or license is not  
7 renewable. The board of supervisors may, by resolution,  
8 authorize the county officer or officers as are deemed  
9 appropriate, to execute leases or licenses pursuant to this  
10 section. The county officer authorized by the board of  
11 supervisors to execute licenses pursuant to this section  
12 shall provide a notice to the supervisorial district office in  
13 which the property proposed to be licensed is located at  
14 least five working days prior to execution of the license.  
15 The notice shall describe the property proposed to be  
16 licensed, the terms and conditions of the license, and the  
17 name of the proposed licensee. If the supervisorial district  
18 office has not responded in writing objecting to the  
19 proposed license within five working days after the notice  
20 has been provided, the proposed license shall be deemed  
21 approved by the district office. If the supervisorial district  
22 office objects to the proposed license in writing within  
23 five working days, the license may be submitted for  
24 approval by the board of supervisors at a regular meeting.

25 (c) Notice pursuant to this section shall also be mailed  
26 or delivered at least 15 days prior to accepting offers to  
27 lease or license pursuant to this section to any person who  
28 has filed a written request for notice with either the clerk  
29 of the board or with any other person designated by the  
30 board to receive these requests. The county may charge  
31 a fee that is reasonably related to the costs of providing  
32 this service and the county may require each request to  
33 be annually renewed. The notice shall describe the  
34 property proposed to be leased or licensed, the terms of  
35 the lease or license, the location where offers to lease or  
36 license the property will be accepted, the location where  
37 leases or licenses will be executed, and any county officer  
38 authorized to execute the lease or license.

39 SEC. 9. Section 29065.5 of the Government Code is  
40 amended to read:

1 29065.5. At a date on or before August 10th an official  
2 designated by the board shall file with the clerk of the  
3 board a tabulation prepared in accordance with the  
4 board's direction.

5 When so filed, this tabulation shall constitute the  
6 proposed budget and shall be reproduced by the  
7 designated official so that each member of the general  
8 public may obtain one.

9 When this section is implemented, it shall be the  
10 responsibility of the official designated by the board to  
11 format the tabulation to the requirements of Sections  
12 29005, 29006, 29007, and 29008, to concur with its use.

13 The alternative procedure prescribed by this section  
14 shall apply to a county only if the board adopts the  
15 procedure by resolution.

16 SEC. 10. Section 53750 of the Government Code is  
17 amended to read:

18 53750. For purposes of Article XIII C and Article  
19 XIII D of the California Constitution and this article:

20 (a) "Agency" means any local government as defined  
21 in subdivision (b) of Section 1 of Article XIII C of the  
22 California Constitution.

23 (b) "Assessment" means any levy or charge by an  
24 agency upon real property that is based upon the special  
25 benefit conferred upon the real property by a public  
26 improvement or service, that is imposed to pay the capital  
27 cost of the public improvement, the maintenance and  
28 operation expenses of the public improvement, or the  
29 cost of the service being provided. "Assessment"  
30 includes, but is not limited to, "special assessment,"  
31 "benefit assessment," "maintenance assessment," and  
32 "special assessment tax."

33 (c) "District" means an area that is determined by an  
34 agency to contain all of the parcels that will receive a  
35 special benefit from a proposed public improvement or  
36 service.

37 (d) "Drainage system" means any system of public  
38 improvements that is intended to provide for erosion  
39 control, landslide abatement, or for other types of water  
40 drainage.

(e) “Extended,” when applied to an existing tax or fee or charge, means a decision by an agency to extend the stated effective period for the tax or fee or charge, including, but not limited to, amendment or removal of a sunset provision or expiration date.

(f) “Flood control” means any system of public improvements that is intended to protect property from overflow by water.

(g) “Identified parcel” means a parcel of real property that an agency has identified as having a special benefit conferred upon it and upon which a proposed assessment is to be imposed, or a parcel of real property upon which a proposed property-related fee or charge is proposed to be imposed.

(h) (1) “Increased,” when applied to a tax, assessment, or property-related fee or charge, means a decision by an agency that does either of the following:

(A) Increases any applicable rate used to calculate the tax, assessment, fee or charge.

(B) Revises the methodology by which the tax, assessment, fee or charge is calculated, if that revision results in an increased amount being levied on any person or parcel.

(2) A tax, fee, or charge is not deemed to be “increased” by an agency action that does either or both of the following:

(A) Adjusts the amount of a tax or fee or charge in accordance with a schedule of adjustments, including a clearly defined formula for inflation adjustment that was adopted by the agency prior to November 6, 1996.

(B) Implements or collects a previously approved tax, or fee or charge, so long as the rate is not increased beyond the level previously approved by the agency, and the methodology previously approved by the agency is not revised so as to result in an increase in the amount being levied on any person or parcel.

(3) A tax, assessment, fee or charge is not deemed to be “increased” in the case in which the actual payments from a person or property are higher than would have resulted when the agency approved the tax, assessment,

1 or fee or charge, if those higher payments are attributable  
2 to events other than an increased rate or revised  
3 methodology, such as a change in the density, intensity,  
4 or nature of the use of land.

5 (i) “Notice by mail” means any notice required by  
6 Article XIII C or XIII D of the California Constitution  
7 that is accomplished through a mailing, postage prepaid,  
8 deposited in the United States Postal Service and is  
9 deemed given when so deposited. Notice by mail may be  
10 included in any other mailing to the record owner that  
11 otherwise complies with Article XIII C or XIII D of the  
12 California Constitution and this article, including, but not  
13 limited to, the mailing of a bill for the collection of an  
14 assessment or a property-related fee or charge.

15 (j) “Record owner” means the owner of a parcel  
16 whose name and address appears on the last equalized  
17 secured property tax assessment roll, or in the case of any  
18 public entity, the State of California, or the United States,  
19 means the representative of that public entity at the  
20 address of that entity known to the agency.

21 (k) “Registered professional engineer” means an  
22 engineer registered pursuant to the Professional  
23 Engineers Act (Chapter 7 (commencing with Section  
24 6700) of Division 3 of the Business and Professions Code).

25 (l) “Vector control” means any system of public  
26 improvements or services that is intended to provide for  
27 the surveillance and control of vectors as defined in  
28 subdivision (f) of Section 2200 of the Health and Safety  
29 Code and a pest as defined in Division 4 (commencing  
30 with Section 5001) and Division 5 (commencing with  
31 Section 9101) of the Food and Agricultural Code.

32 (m) “Water” means any system of public  
33 improvements intended to provide for the production,  
34 storage, supply, treatment, or distribution of water.

35 SEC. 11. Section 61601.25 of the Government Code, as  
36 amended by Chapter 56 of the Statutes of 1998, is  
37 amended to read:

38 61601.25. (a) In addition to the purposes authorized  
39 by this chapter, the Board of Directors of the Bear Valley





1 Community Services District may, pursuant to Section  
2 61601, exercise the following powers:

3 (1) Provide, maintain, operate, and contract for  
4 facilities and services for the control, removal, and  
5 eradication of local pine bark beetle infestations in  
6 accordance with any required plan or program approved  
7 by the Department of Forestry and Fire Protection to  
8 ensure consistency with the policies of the Board of  
9 Forestry.

10 (2) Acquire, construct, improve, or maintain mail  
11 receptacle facilities for mail delivery services to the  
12 district and its inhabitants.

13 (3) Adopt and enforce by ordinance measures for the  
14 abatement, control, and removal of weeds on property  
15 within the district.

16 (b) Notwithstanding Sections 61600 and 61601,  
17 whenever the board of directors determines, by  
18 resolution, that it is feasible, economically sound, and in  
19 the public interest for the district to exercise its power,  
20 the board may contract with the United States Postal  
21 Service for mail delivery services to the district and its  
22 inhabitants, including, but not limited to, leasing space to  
23 the United States Postal Service, a nonprofit corporation,  
24 or a private entity for mail delivery and packaging  
25 services.

26 (c) If the board does contract with the United States  
27 Postal Service to provide mail delivery services as  
28 provided in subdivision (b), the board shall submit a  
29 ballot measure to the voters of the district no later than  
30 November 3, 1998, for this purpose. If the voters reject the  
31 measure, the board shall terminate the contract at the  
32 earliest reasonable time.

33 SEC. 11.1. *Section 54954.5 of the Government Code is*  
34 *amended to read:*

35 54954.5. For purposes of describing closed session  
36 items pursuant to Section 54954.2, the agenda may  
37 describe closed sessions as provided below. No legislative  
38 body or elected official shall be in violation of Section  
39 54954.2 or 54956 if the closed session items were described  
40 in substantial compliance with this section. Substantial

1 compliance is satisfied by including the information  
2 provided below, irrespective of its format.

3 (a) With respect to a closed session held pursuant to  
4 Section 54956.7:

5  
6 LICENSE/PERMIT DETERMINATION

7 Applicant(s): (Specify number of applicants)

8  
9 (b) With respect to every item of business to be  
10 discussed in closed session pursuant to Section 54956.8:

11  
12 CONFERENCE WITH REAL PROPERTY  
13 ~~NEGOTIATOR~~ NEGOTIATORS

14 Property: (Specify street address, or if no street  
15 address, the parcel number or other unique reference, of  
16 the real property under negotiation)

17 Agency negotiator: *(Specify names of negotiators*  
18 *attending the closed session) (If circumstances*  
19 *necessitate the absence of a specified negotiator, an agent*  
20 *or designee may participate in place of the absent*  
21 *negotiator so long as the name of the agent or designee*  
22 *is announced at an open session held prior to the closed*  
23 *session.)*

24 Negotiating parties: (Specify name of party (not  
25 agent))

26 Under negotiation: (Specify whether instruction to  
27 negotiator will concern price, terms of payment, or both)

28  
29 (c) With respect to every item of business to be  
30 discussed in closed session pursuant to Section 54956.9:

31  
32 CONFERENCE WITH LEGAL  
33 COUNSEL—EXISTING LITIGATION

34 (Subdivision (a) of Section 54956.9)

35 Name of case: (Specify by reference to claimant's  
36 name, names of parties, case or claim numbers)

37 or

38 Case name unspecified: (Specify whether disclosure  
39 would jeopardize service of process or existing settlement  
40 negotiations)



1 CONFERENCE WITH LEGAL  
2 COUNSEL—ANTICIPATED LITIGATION

3 Significant exposure to litigation pursuant to  
4 subdivision (b) of Section 54956.9: (Specify number of  
5 potential cases)

6 (In addition to the information noticed above, the  
7 agency may be required to provide additional  
8 information on the agenda or in an oral statement prior  
9 to the closed session pursuant to subparagraphs (B) to  
10 (E), inclusive, of paragraph (3) of subdivision (b) of  
11 Section 54956.9.)

12 Initiation of litigation pursuant to subdivision (c) of  
13 Section 54956.9: (Specify number of potential cases)

14  
15 (d) With respect to every item of business to be  
16 discussed in closed session pursuant to Section 54956.95:

17 LIABILITY CLAIMS

18 Claimant: (Specify name unless unspecified pursuant  
19 to Section 54961)

20 Agency claimed against: (Specify name)

21  
22 (e) With respect to every item of business to be  
23 discussed in closed session pursuant to Section 54957:

24  
25 THREAT TO PUBLIC SERVICES OR FACILITIES

26 Consultation with: (Specify name of law enforcement  
27 agency and title of officer)

28 PUBLIC EMPLOYEE APPOINTMENT

29 Title: (Specify description of position to be filled)

30 PUBLIC EMPLOYMENT

31 Title: (Specify description of position to be filled)

32 PUBLIC EMPLOYEE PERFORMANCE  
33 EVALUATION

34 Title: (Specify position title of employee being  
35 reviewed)

36 PUBLIC EMPLOYEE  
37 DISCIPLINE/DISMISSAL/RELEASE

38 (No additional information is required in connection  
39 with a closed session to consider discipline, dismissal, or  
40 release of a public employee. Discipline includes

1 potential reduction of compensation.)

2

3 (f) With respect to every item of business to be  
4 discussed in closed session pursuant to Section 54957.6:

5

6 CONFERENCE WITH LABOR ~~NEGOTIATOR~~  
7 ~~NEGOTIATORS~~

8 Agency ~~negotiator:~~ ~~(Specify name)~~ *designated*  
9 *representatives: (Specify names of designated*  
10 *representatives attending the closed session) (If*  
11 *circumstances necessitate the absence of a specified*  
12 *designated representative, an agent or designee may*  
13 *participate in place of the absent representative so long*  
14 *as the name of the agent or designee is announced at an*  
15 *open session held prior to the closed session.)*

16 Employee organization: (Specify name of organization  
17 representing employee or employees in question)

18 or

19 Unrepresented employee: (Specify position title of  
20 unrepresented employee who is the subject of the  
21 negotiations)

22

23 (g) With respect to closed sessions called pursuant to  
24 Section 54957.8:

25

26 CASE REVIEW/PLANNING

27 (No additional information is required in connection  
28 with a closed session to consider case review or planning.)

29

30 (h) With respect to every item of business to be  
31 discussed in closed session pursuant to Sections 1461,  
32 32106, and 32155 of the Health and Safety Code or  
33 Sections 37606 and 37624.3 of the Government Code:

34

35 REPORT INVOLVING TRADE SECRET

36 Discussion will concern: (Specify whether discussion  
37 will concern proposed new service, program, or facility)

38 Estimated date of public disclosure: (Specify month  
39 and year)

40 HEARINGS



1 Subject matter: (Specify whether  
2 testimony/deliberation will concern staff privileges,  
3 report of medical audit committee, or report of quality  
4 assurance committee)  
5

6 (i) With respect to every item of business to be  
7 discussed in closed session pursuant to Section 54956.86:  
8

9 CHARGE OR COMPLAINT INVOLVING  
10 INFORMATION PROTECTED BY FEDERAL LAW

11 (No additional information is required in connection  
12 with a closed session to discuss a charge or complaint  
13 pursuant to Section 54956.86.)  
14

15 *SEC. 11.2.* Section 6831 of the Harbors and Navigation  
16 Code is repealed.

17 ~~SEC. 11.2.~~—

18 *SEC. 11.3.* Section 6835.1 is added to the Harbors and  
19 Navigation Code, to read:

20 *6835.1. A person shall not be ineligible for*  
21 *appointment to the board because he or she is an elected*  
22 *official of an appointing authority to the board. The*  
23 *appointment of a person to the office of the board shall*  
24 *not be deemed incompatible with being an elected*  
25 *official of an appointing authority to the board.*

26 *SEC. 11.4.* Section 6840 of the Harbors and Navigation  
27 Code is amended to read:

28 6840. The board shall select one of its members as  
29 chairperson and select one of its members as vice  
30 chairperson, who shall preside in the absence of the  
31 chairperson, and it may provide for and select the officers  
32 it deems necessary to conduct the affairs of the district.

33 ~~SEC. 11.3.~~—

34 *SEC. 11.5.* Section 6842 of the Harbors and Navigation  
35 Code is repealed.

36 SEC. 12. Section 39014.3 is added to the Health and  
37 Safety Code, to read:

38 39014.3. “Antelope Valley district” means the  
39 Antelope Valley Air Pollution Control District created  
40 pursuant to Section 40106.

1 SEC. 13. Section 39014.5 is added to the Health and  
2 Safety Code, to read:

3 39014.5. “Antelope Valley District Board” means the  
4 governing board of the Antelope Valley Air Pollution  
5 Control District created pursuant to Section 40106.

6 SEC. 14. Section 40002 of the Health and Safety Code  
7 is amended to read:

8 40002. (a) There is continued in existence and shall  
9 be, in every county, a county district, unless the entire  
10 county is included within the Antelope Valley district, the  
11 bay district, the Mojave Desert district, the south coast  
12 district, the San Joaquin Valley Air Quality Management  
13 District, if that district is created, a regional district, or a  
14 unified district.

15 (b) If only a part of the county is included within the  
16 Antelope Valley district, the bay district, the south coast  
17 district, the Mojave Desert district, the San Joaquin  
18 Valley Air Quality Management District, if that district is  
19 created, a regional district, or a unified district, there is in  
20 that part of the county not included within any of those  
21 districts a county district, for which different air quality  
22 rules and regulations may be required.

23 SEC. 15. Section 1600 of the Public Contract Code is  
24 amended to read:

25 1600. Notwithstanding any other provision of law,  
26 counties, a city and county, and state agencies may enter  
27 into and make payment on contracts by way of electronic  
28 transmission, including, but not limited to, the issuance of  
29 solicitation documents, and the receipt of responses  
30 thereto.

31 SEC. 16. Section 21061 of the Public Contract Code is  
32 amended to read:

33 21061. (a) All contracts for any improvement or unit  
34 of work, except as provided in this article, estimated to  
35 cost in excess of twenty-five thousand dollars (\$25,000),  
36 shall be let to the lowest responsible bidder in the manner  
37 provided in this article.

38 (b) The board of supervisors of the district shall  
39 advertise by five or more insertions in a daily newspaper  
40 of general circulation, or by two or more insertions in a

1 weekly newspaper of general circulation, printed and  
2 published in the district, inviting sealed proposals for the  
3 construction of the improvement or work. The board  
4 shall require the successful bidder or bidders to file with  
5 the board good and sufficient bonds, to be approved by  
6 the board, conditioned upon the faithful performance of  
7 the contract and upon the payment of all claims for labor  
8 and material, the bonds to contain the terms and  
9 conditions set forth in Chapter 7 (commencing with  
10 Section 3247) of Title 15 of Part 4 of Division 3 of the Civil  
11 Code and to be subject to that chapter.

12 (c) The board may also reject any bid not suitable to  
13 the best interests of the district. If all proposals are  
14 rejected or no proposals are received pursuant to  
15 advertisement therefor, or the work consists of channel  
16 protection, dam protection, temporary work,  
17 maintenance work, or of emergency work, the board of  
18 supervisors may, without advertising for bids, have the  
19 work done by force account. Emergency work may also  
20 be done by negotiated contract without advertising for  
21 bids or requiring bonds. In case of an emergency, if notice  
22 for bids to let contracts will not be given, the board shall  
23 comply with Chapter 2.5 (commencing with Section  
24 22050).

25 (d) The board of supervisors, acting as the board of the  
26 district, may, by ordinance, resolution, or board order,  
27 authorize the flood control engineer or other county  
28 officer to order changes or additions in work being  
29 performed under a construction contract. When so  
30 authorized, any change or addition in the work shall be  
31 ordered in writing by the flood control engineer, or other  
32 designated officer, and the extra cost for any change or  
33 addition to the work so ordered shall not exceed five  
34 thousand dollars (\$5,000) when the total amount of the  
35 original contract does not exceed fifty thousand dollars  
36 (\$50,000), nor 10 percent of the amount of any original  
37 contract that exceeds fifty thousand dollars (\$50,000), but  
38 does not exceed two hundred fifty thousand dollars  
39 (\$250,000). For contracts whose original cost exceeds two  
40 hundred fifty thousand dollars (\$250,000), the extra cost

1 for any change or addition to the work so ordered shall not  
2 exceed twenty-five thousand dollars (\$25,000), plus 5  
3 percent of the amount of the original contract costs in  
4 excess of two hundred fifty thousand dollars (\$250,000).  
5 In no event shall any such change or alteration exceed  
6 one hundred fifty thousand dollars (\$150,000).

7 SEC. 17. Section 5540.5 of the Public Resources Code  
8 is amended to read:

9 5540.5. (a) Notwithstanding Section 5540, a district,  
10 with the approval by a unanimous vote of the members  
11 of its board of directors, may exchange any real property  
12 dedicated and used for park or open-space, or both,  
13 purposes for real property that the board of directors  
14 determines to be of equal value and is necessary to be  
15 acquired for park or open-space, or both, purposes.

16 (b) A district shall not in any calendar year exchange  
17 more than 10 acres of district-owned real property  
18 pursuant to this section for other real property, and any  
19 real property acquired by the district shall be adjacent to  
20 other real property owned by the district.

21 (c) Notwithstanding subdivision (b), the East Bay  
22 Regional Park District may exchange up to a maximum  
23 of 40 acres of district-owned real property in any calendar  
24 year pursuant to this section for other real property, and  
25 any real property so acquired by the district shall be  
26 adjacent to other real property owned by the district.

27 SEC. 18. Section 6217 of the Public Resources Code,  
28 as added by Section 3 of Chapter 293 of the Statutes of  
29 1997, is amended to read:

30 6217. (a) With the exception of revenue derived  
31 from state school lands and from sources described in  
32 Sections 6217.6, 6301.5, 6301.6, 6855, and Sections 8551 to  
33 8558, inclusive, and Section 6404 (insofar as the proceeds  
34 are from property that has been distributed or escheated  
35 to the state in connection with unclaimed estates of  
36 deceased persons), the commission shall deposit all  
37 revenue, money, and remittances received by the  
38 commission under this division, and under Chapter 138 of  
39 the Statutes of 1964, First Extraordinary Session, in the  
40 General Fund. Out of those funds deposited in the



1 General Fund, sufficient moneys shall be made available  
2 each fiscal year for the following purposes:

3 (1) Payment of refunds, authorized by the  
4 commission, out of appropriations made for that purpose.

5 (2) Payment of expenditures of the commission as  
6 provided in the annual Budget Act.

7 (3) Payments to cities and counties of the amounts  
8 specified in Section 6817 for the purposes specified in that  
9 section, out of appropriations made for that purpose.

10 (4) Payments to cities and counties of the amounts  
11 agreed to pursuant to Section 6875, out of appropriations  
12 made for that purpose.

13 (b) This section shall become operative on July 1, 2003.

14 SEC. 19. Section 95.31 of the Revenue and Taxation  
15 Code is amended to read:

16 95.31. (a) (1) Notwithstanding any other provision  
17 of law, any eligible county may, upon the  
18 recommendation of the county assessor, and by resolution  
19 of the board of supervisors of that county adopted not  
20 later than December 1 of the fiscal year for which it is to  
21 first apply, elect to participate in the State-County  
22 Property Tax Administration Program.

23 (2) Except as specified in paragraph (3), for the  
24 purposes of this section, an eligible county shall mean a  
25 county in which additional property tax revenue  
26 allocated to school entities would reduce the amount of  
27 General Fund moneys apportioned to school entities.  
28 However, eligibility shall be terminated when, in  
29 combination with resources in the Educational Revenue  
30 Augmentation Fund, additional property tax revenues  
31 allocated to school entities will not result in a reduction  
32 in the General Fund apportionments.

33 (3) Notwithstanding paragraph (2), both the County  
34 of Solano and the County of San Benito shall be deemed  
35 eligible counties that may, upon the recommendation of  
36 the county assessor, and by resolution of the board of  
37 supervisors of the county adopted on or before March 31,  
38 1996, elect to participate in the State-County Property  
39 Tax Administration Program.

(4) Notwithstanding paragraph (1), any county in which a new assessor is elected in 1998 may, upon the recommendation of the county assessor, and by resolution of the board of supervisors of the county adopted on or before January 31, 1999, elect to participate in the State-County Property Tax Administration Loan Program commencing with the 1998–99 fiscal year.

(b) (1) In each fiscal year from the 1995–96 fiscal year to the 2000–01 fiscal year, inclusive, an eligible county participating in the State-County Property Tax Administration Program may receive a loan for up to the amount listed in paragraph (3). The loan shall be repaid by June 30 of the fiscal year following the year in which the loan is made. However, at the discretion of the Director of Finance, the loan may be renewed once for an additional 12-month period at the request of the participating county board of supervisors. For the Counties of Fresno, Orange, San Benito, and Solano any loan agreement signed on or before July 31, 1996, shall be deemed a loan agreement for the 1995–96 fiscal year for the purposes of this section. For any county in which a new assessor is elected in 1998, any loan agreement signed on or before January 31, 1999, shall be deemed a loan agreement for the 1998–99 fiscal year for the purposes of this section.

(2) If an eligible county elects to participate in the State-County Property Tax Administration Program, it shall enter into a contractual agreement with the Department of Finance. At a minimum, the contractual agreement shall include the following:

(A) The loan amount, as determined by the Director of Finance.

(B) Repayment provisions, including the interception of Motor Vehicle License Fee Account moneys apportioned pursuant to Section 11005 to repay the General Fund.

(C) A listing of the proposed use of the additional resources including, but not limited to:

(i) Proposed new positions.

(ii) Increased automation costs.

(D) An agreement to provide to the Department of Finance, by March 31 of the fiscal year in which the loan is made, a report projecting the impact of the increased funding in the current and subsequent fiscal year.

(3) Upon request of the Department of Finance, the Controller shall provide a loan to the following counties for up to the amount specified by the Director of Finance, not to exceed the following amounts:

| Jurisdiction       | Amount       |
|--------------------|--------------|
| Alameda .....      | \$ 2,152,429 |
| Alpine .....       | 3,124        |
| Amador .....       | 80,865       |
| Butte .....        | 381,956      |
| Calaveras .....    | 109,897      |
| Colusa .....       | 53,957       |
| Contra Costa ..... | 2,022,088    |
| Del Norte .....    | 36,203       |
| El Dorado .....    | 302,795      |
| Fresno .....       | 1,165,249    |
| Glenn .....        | 59,197       |
| Humboldt .....     | 210,806      |
| Imperial .....     | 231,673      |
| Inyo .....         | 100,080      |
| Kern .....         | 1,211,318    |
| Kings .....        | 138,653      |
| Lake .....         | 117,376      |
| Lassen .....       | 54,699       |
| Los Angeles .....  | 13,451,670   |
| Madera .....       | 212,991      |
| Marin .....        | 790,490      |
| Mariposa .....     | 46,476       |
| Mendocino .....    | 160,435      |
| Merced .....       | 298,004      |
| Modoc .....        | 24,022       |
| Mono .....         | 47,778       |
| Monterey .....     | 795,819      |
| Napa .....         | 366,020      |
| Nevada .....       | 234,292      |
| Orange .....       | 6,826,325    |

|    |                       |           |
|----|-----------------------|-----------|
| 1  | Placer .....          | 628,047   |
| 2  | Plumas .....          | 80,606    |
| 3  | Riverside .....       | 2,358,068 |
| 4  | Sacramento .....      | 1,554,245 |
| 5  | San Benito .....      | 90,408    |
| 6  | San Bernardino .....  | 2,139,938 |
| 7  | San Diego .....       | 5,413,943 |
| 8  | San Francisco .....   | 1,013,332 |
| 9  | San Joaquin .....     | 818,686   |
| 10 | San Luis Obispo ..... | 736,288   |
| 11 | San Mateo .....       | 2,220,001 |
| 12 | Santa Barbara .....   | 926,817   |
| 13 | Santa Clara .....     | 4,213,639 |
| 14 | Santa Cruz .....      | 565,328   |
| 15 | Shasta .....          | 342,399   |
| 16 | Sierra .....          | 7,383     |
| 17 | Siskiyou .....        | 91,164    |
| 18 | Solano .....          | 469,207   |
| 19 | Sonoma .....          | 1,035,049 |
| 20 | Stanislaus .....      | 866,155   |
| 21 | Sutter .....          | 147,436   |
| 22 | Tehama .....          | 97,222    |
| 23 | Trinity .....         | 24,913    |
| 24 | Tulare .....          | 501,907   |
| 25 | Tuolumne .....        | 126,067   |
| 26 | Ventura .....         | 1,477,789 |
| 27 | Yolo .....            | 278,309   |
| 28 | Yuba .....            | 88,968    |

29

30 (4) The Department of Finance shall consider any or  
31 all of the following items in determining the extent to  
32 which a county has satisfied the terms and repaid the loan,  
33 pursuant to the contract, as offered under this part:

34 (A) County performance as indicated by the State  
35 Board of Equalization's sample survey required pursuant  
36 to Section 15640 of the Government Code.

37 (B) Performance measures adopted by the California  
38 Assessors' Association.

39 (C) Reduction of backlog of assessment appeals and  
40 Proposition 8 declines in value.



1 (D) County compliance with mandatory audits  
2 required by Section 469.

3 (E) Reduction of backlogs in new construction,  
4 changes in ownership, and supplemental roll.

5 (F) Other measures, as determined by the Director of  
6 Finance.

7 (5) The Director of Finance shall notify the Controller  
8 of any participating county that fails to comply with the  
9 terms of the agreement, including the repayment of the  
10 loan. When the Controller receives notice from the  
11 Director of Finance, the Controller shall make an  
12 apportionment to the General Fund on behalf of the  
13 participating county in the amount of that required  
14 payment for the purpose of making that payment. The  
15 Controller shall make that payment only from moneys  
16 credited to the Motor Vehicle License Fee Account in the  
17 Transportation Tax Fund to which the participating  
18 county is entitled at that time under Chapter 5  
19 (commencing with Section 11001) of Part 5 of Division 2,  
20 and shall thereupon reduce, by the amount of the  
21 payment, the subsequent allocation or allocations to  
22 which the county would otherwise be entitled under that  
23 chapter.

24 (c) (1) Funds appropriated for purposes of this  
25 section shall be used to enhance the property tax  
26 administration system by providing supplemental  
27 resources. Amounts provided to any county as a loan  
28 pursuant to this section shall not be used to supplant the  
29 current level of funding. In order to participate in the  
30 State-County Property Tax Administration Program, a  
31 participating county shall maintain a base staffing,  
32 including contract staff, and total funding level in the  
33 county assessor's office, independent of the loan proceeds  
34 provided pursuant to this act, equal to the levels in the  
35 1994–95 fiscal year exclusive of amounts provided to the  
36 assessor's office pursuant to Item 9100-102-001 of the  
37 Budget Act of 1994. However, in a county in which the  
38 1994–95 funding level for the assessor's office was higher  
39 than the 1993–94 level, the 1993–94 fiscal year staffing and  
40 funding levels shall be considered the base year for

1 purposes of this section. Commencing with the 1996–97  
2 fiscal year, if a county was otherwise eligible but was  
3 unable to participate in this program in the 1995–96 fiscal  
4 year because it did not meet the funding level and staffing  
5 requirements of this paragraph, that county shall  
6 maintain a base staffing, including contract staff, and total  
7 funding level in the county assessor’s office equal to the  
8 levels in the 1995–96 fiscal year.

9 (2) Prior to the assessor’s recommendation for  
10 participation in the State-County Property Tax  
11 Administration Program, the assessor shall consult with  
12 the county tax collector, and any other county agency  
13 directly involved in property tax administration, to  
14 discuss the needs of the program for the duration of the  
15 contractual agreement.

16 (d) A participating county may establish a tracking  
17 system whereby a work or function number is assigned to  
18 each appraisal or administrative activity. That system  
19 should provide statistical data on the number of  
20 production units performed by each employee and the  
21 positive and negative change in assessed value  
22 attributable to the activities performed by each  
23 employee.

24 (e) Notwithstanding Section 95.3, no amount of funds  
25 provided to an eligible county pursuant to this section  
26 shall result in any deduction from those property tax  
27 administrative costs that are eligible for reimbursement  
28 pursuant to Section 95.3.

29 (f) At the request of the Department of Finance, the  
30 board shall assist the Department of Finance in  
31 evaluating contracts entered into pursuant to this section.

32 SEC. 20. Section 8320 of the Streets and Highways  
33 Code is amended to read:

34 8320. (a) The legislative body of a local agency may  
35 initiate a proceeding under this chapter in either of the  
36 following ways:

37 (1) On its own initiative, where the clerk of the  
38 legislative body shall administratively set a hearing by  
39 fixing the date, hour, and place of the hearing and cause



1 the publishing and posting of the notices required by this  
2 chapter.

3 (2) Upon a petition or request of an interested person,  
4 at the discretion of the legislative body, except as  
5 provided in subdivision (e) of Section 8321, where the  
6 clerk of the legislative body shall administratively set a  
7 hearing by fixing the date, hour, and place of the hearing  
8 and cause the publishing and posting of the notices  
9 required by this chapter.

10 (b) The notices required by this chapter shall contain  
11 both of the following:

12 (1) A description of the street, highway, or public  
13 service easement proposed to be vacated and a reference  
14 to a map or plan, that shows the portion or area to be  
15 vacated and includes a statement that the vacation  
16 proceeding is conducted under this chapter. In the case  
17 of a street or highway, the description shall include its  
18 general location, its lawful or official name or the name  
19 by which it is commonly known, and the extent to which  
20 it is to be vacated. In the case of a public service easement,  
21 the description shall identify it with common certainty.  
22 The map or plan showing the location of the street,  
23 highway, or public easement proposed to be vacated is  
24 sufficient compliance with this paragraph.

25 (2) The date, hour, and place for hearing all persons  
26 interested in the proposed vacation. The date shall not be  
27 less than 15 days after the initiation of proceedings.

28 SEC. 21. Section 8322 of the Streets and Highways  
29 Code is amended to read:

30 8322. (a) Except as provided in subdivisions (b) and  
31 (c), notice of the hearing on the proposed vacation shall  
32 be published for at least two successive weeks prior to the  
33 hearing in a daily, semiweekly, or weekly newspaper  
34 published and circulated in the local agency conducting  
35 the proceeding and which is selected by the legislative  
36 body for that purpose or by the clerk or other officer  
37 responsible for the publication where the legislative body  
38 has not selected any newspaper for that purpose.

39 (b) If the proceeding is conducted by a city and there  
40 is no daily, semiweekly, or weekly newspaper published

1 and circulated in the city, the notice shall be published in  
2 some newspaper published in the county in which the  
3 city is located.

4 (c) Notice need not be published under this section  
5 where there is no daily, semiweekly, or weekly  
6 newspaper published and circulating in the county in  
7 which the local agency conducting the proceeding is  
8 located.

9 SEC. 22. Section 8323 of the Streets and Highways  
10 Code is amended to read:

11 8323. At least two weeks before the day set for the  
12 hearing, the legislative body shall post conspicuously  
13 notices of vacation along the line of the street, highway,  
14 or public service easement proposed to be vacated. The  
15 notices shall be posted not more than 300 feet apart, but  
16 at least three notices shall be posted. If the line of the  
17 street, highway, or public service easement proposed to  
18 be vacated exceeds one mile in length, the legislative  
19 body may, in lieu of posting not more than 300 feet apart,  
20 post notices at each intersection of another street or  
21 highway with the street, highway, or public service  
22 easement to be vacated and at one point approximately  
23 midway between each intersection, but at least three  
24 notices shall be posted.

25 SEC. 23. Section 8324 of the Streets and Highways  
26 Code is amended to read:

27 8324. (a) At the hearing, the legislative body shall  
28 hear the evidence offered by persons interested.

29 (b) If the legislative body finds, from all the evidence  
30 submitted, that the street, highway, or public service  
31 easement described in the notice of hearing or petition is  
32 unnecessary for present or prospective public use, the  
33 legislative body may adopt a resolution vacating the  
34 street, highway, or public service easement. The  
35 resolution of vacation may provide that the vacation  
36 occurs only after conditions required by the legislative  
37 body have been satisfied and may instruct the clerk that  
38 the resolution of vacation not be recorded until the  
39 conditions have been satisfied.





1 SEC. 24. Section 21101 of the Vehicle Code is  
2 amended to read:

3 21101. Local authorities, for those highways under  
4 their jurisdiction, may adopt rules and regulations by  
5 ordinance or resolution on the following matters:

6 (a) Closing any highway to vehicular traffic when, in  
7 the opinion of the legislative body having jurisdiction, the  
8 highway is no longer needed for vehicular traffic.

9 (b) Designating any highway as a through highway  
10 and requiring that all vehicles observe official traffic  
11 control devices before entering or crossing the highway  
12 or designating any intersection as a stop intersection and  
13 requiring all vehicles to stop at one or more entrances to  
14 the intersection.

15 (c) Prohibiting the use of particular highways by  
16 certain vehicles, except as otherwise provided by the  
17 Public Utilities Commission pursuant to Article 2  
18 (commencing with Section 1031) of Chapter 5 of Part 1  
19 of Division 1 of the Public Utilities Code. No ordinance  
20 which is adopted pursuant to this subdivision after  
21 November 10, 1969, shall apply to any state highway  
22 which is included in the National System of Interstate and  
23 Defense Highways, except an ordinance which has been  
24 approved by the California Transportation Commission  
25 by a four-fifths vote.

26 (d) Closing particular streets during regular school  
27 hours for the purpose of conducting automobile driver  
28 training programs in the secondary schools and colleges  
29 of this state.

30 (e) Temporarily closing a portion of any street for  
31 celebrations, parades, local special events, and other  
32 purposes when, in the opinion of local authorities having  
33 jurisdiction or a public officer or employee that the local  
34 authority designates by resolution, the closing is  
35 necessary for the safety and protection of persons who are  
36 to use that portion of the street during the temporary  
37 closing.

38 (f) Prohibiting entry to, or exit from, or both, from any  
39 street by means of islands, curbs, traffic barriers, or other  
40 roadway design features to implement the circulation

1 element of a general plan adopted pursuant to Article 6  
2 (commencing with Section 65350) of Chapter 3 of  
3 Division 1 of Title 7 of the Government Code. The rules  
4 and regulations authorized by this subdivision shall be  
5 consistent with the responsibility of local government to  
6 provide for the health and safety of its citizens.

7 SEC. 25. Section 1 of Chapter 213 of the Statutes of  
8 1907, as amended by Chapter 191 of the Statutes of 1997,  
9 is amended to read:

10 Section 1. Reclamation District No. 800 is hereby  
11 created. The boundaries of the district are as follows:

12 Beginning at the intersection of the centerline of  
13 Dillard Road and the centerline of Wilton Road, said  
14 intersection also being within the southwest quarter of  
15 Section 6, Township 6 North, Range 7 East, M.D.B. & M.;

16 Thence southwesterly along the centerline of Dillard  
17 Road to its intersection with the centerline of Cosumnes  
18 Road;

19 Thence northerly along the centerline of Cosumnes  
20 Road to its intersection with the centerline of Freeman  
21 Road;

22 Thence westerly along the centerline of Freeman Road  
23 and the extension thereof to the centerline of the  
24 Cosumnes River as shown on Parcel Map of a Portion of  
25 Tract 94 of Rancho San Jon De Los Moquelumnes dated  
26 August 1977 and recorded in Book 34 of Parcel Maps, at  
27 Page 21, County of Sacramento;

28 Thence along the centerline of the Cosumnes River  
29 southwesterly to the intersection with the northeasterly  
30 line of the 147.82 acre parcel of I. Woodard, as shown on  
31 that certain plat of survey entitled "Woodard Property  
32 Located in Lots 7 and 8 of the Lower Daylor Estates,"  
33 dated April 1940, recorded in the office of the Recorder,  
34 County of Sacramento, in Book 3 of Surveys, at Page 147;

35 Thence along the northeasterly line of said 147.82 acre  
36 parcel of I. Woodard, northwesterly to the most northerly  
37 corner of said 147.82 acre parcel of I. Woodard, in the  
38 centerline of Grant Line Road, as shown on said plat of  
39 survey, said 147.82 acre parcel of I. Woodard is currently

1 owned by Wayne A. Bartholomew and Jacqueline A.  
2 Bartholomew, et al.;

3 Thence northeasterly along the centerline of Grant  
4 Line Road to its intersection with the centerline of  
5 Sloughhouse Road;

6 Thence southeasterly and northeasterly along the  
7 centerline of Sloughhouse Road to its intersection with  
8 centerline of State Route 16;

9 Thence easterly along the centerline of State Route 16  
10 to its intersection with the centerline of Deer Creek;

11 Thence along the centerline of Deer Creek northerly  
12 and easterly to its intersection with the centerline of  
13 Kiefer Boulevard;

14 Thence southeasterly along the centerline of Kiefer  
15 Boulevard to its intersection with the centerline of State  
16 Route 16;

17 Thence easterly along the centerline of said State  
18 Route 16 to its intersection with the north-south  
19 centerline of Section 3, Township 7 North, Range 8 East,  
20 M.D.B. & M.;

21 Thence south along said north-south centerline of said  
22 Section 3 to the quarter section corner common to  
23 Section 3 and Section 10, Township 7 North, Range 8 East,  
24 M.D.B. & M.;

25 Thence continuing south along the north-south  
26 centerline of said Section 10 to the south quarter section  
27 corner of said Section 10;

28 Thence west along the south line of said Section 10 and  
29 continuing west along the south line of Sections 9, 8, and  
30 7, Township 7 North, Range 8 East, M.D.B. & M., and the  
31 south line of Section 12, Township 7 North, Range 7 East,  
32 M.D.B. & M., to its intersection with the centerline of  
33 Meiss Road;

34 Thence northwesterly along the centerline of Meiss  
35 Road to its intersection with the centerline of Dillard  
36 Road;

37 Thence southwesterly along the centerline of Dillard  
38 Road to its intersection with the centerline of Wilton  
39 Road, said intersection also being the point of beginning;



1 Excepting therefrom Parcels 10, 11, and 14 as shown on  
2 Parcel Map of Rancho Murieta dated May 1973, recorded  
3 in Book 12 of Parcel Maps at Page 47, County of  
4 Sacramento.

5 SEC. 26. No reimbursement is required by this act  
6 pursuant to Section 6 of Article XIII B of the California  
7 Constitution because the only costs that may be incurred  
8 by a local agency or school district are the result of a  
9 program for which legislative authority was requested by  
10 that local agency or school district, within the meaning of  
11 Section 17556 of the Government Code and Section 6 of  
12 Article XIII B of the California Constitution.

13 Notwithstanding Section 17580 of the Government  
14 Code, unless otherwise specified, the provisions of this act  
15 shall become operative on the same date that the act  
16 takes effect pursuant to the California Constitution.

